

IAP7 Rec'd PCT/PTO 17 JUL 2006

FROM McANDREWS, HELD, & MALLOY

(MON) 7.17' 06 15:40/ST. 15:39/NO. 4861050035 P 1



McANDREWS, HELD & MALLOY
34TH FLOOR
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CHICAGO, ILLINOIS 60661

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JUL 17 2006

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TO:	Mail Stop MISSING PARTS Commissioner for Patents	FAX NO.:	571-273-8300
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FROM:	Kirk A. Vander Leest	USER ID:	8263
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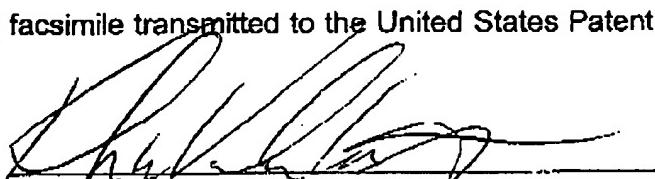
CLIENT:	02120	MATTER:	16966US01
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Number of Pages This Transmission (Including Cover Page): 11

I hereby certify that the attached

- 1) Transmittal Form;
- 2) Fee Transmittal (in duplicate)
- 3) Completion of Filing Requirements;
- 4) Executed Declaration;
- 5) Power of Attorney;
- 6) Copy of Notification of Missing Requirements

for U.S. Serial No. 10/549,689 are being facsimile transmitted to the United States Patent and Trademark Office on July 17, 2006.



Kirk A. Vander Leest
Reg. No. 34,036

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FROM McANDREWS, HELD, & MALLOY

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JUL 17 2006

PTO/SB/21 (09-04)

Approved for use through 7/31/2008

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

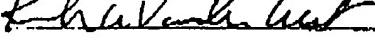
Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM		Application Number	10/549,689
		Filing Date	September 16, 2005
		First Named Inventor	Michael J. Fox
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	10	Attorney Docket Number	18966US01

ENCLOSURES (check all that apply)

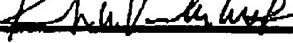
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return-Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD Number of CD(s) _____	Declaration
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	Power of Attorney
<input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	McAndrews Held & Malloy, Ltd.		
Signature			
Printed Name	Kirk A. Vander Leest, Reg. No. 34,036		
Date	July 17, 2006		

CERTIFICATE OF FAX TRANSMITTAL

I hereby certify that this correspondence is being sent via facsimile to Mail Stop MISSING PARTS, Commissioner of Patents, at the United States Patent and Trademark Office July 17, 2006.

Name (Print/type)	Kirk A. Vander Leest	Registration No. (Attorney/Agent)	34,036
Signature		Date	July 17, 2006

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FROM McANDREWS, HELD, & MALLOY

JUL(MON) 7 2006 06 15:41/ST. 15:39/NO. 4861050035 P 3

PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0851-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the consolidated Appropriates Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
for FY 2006**

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **980.00**

<i>Complete if Known</i>	
Application Number	10/549,689
Filing Date	September 18, 2005
First Named Inventor	Michael J. Fox
Examiner Name	N/A
Art Unit	N/A

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify) _____

Deposit Account Deposit Account Number: 13-0017 Deposit Account Name: McAndrews Held & Malloy

For the above-identified deposit account, the Director is hereby authorized to (check all that apply):

Charge Fee(s) indicated below

Charge Fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fees(s) Credit any overpayments under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

FILING FEES

<u>Application Type</u>	<u>Fee (\$)</u>	<u>Small Entity Fee(\$)</u>	<u>SEARCH FEES</u>	<u>EXAMINATION FEES</u>	<u>Small Entity Fee(\$)</u>	<u>Fees Paid(\$)</u>
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	600	250	600	300
Provisional	200	100	0	0	0	0

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Small Entity

Fee(\$) Fee(\$)

60

25

Each independent claim over 3 (including Reissues)

200

100

Multiple dependent claims

360

180

Total Claims

Extra Claims

Fee(\$)

Fee Paid (\$)

43 .20 or HP

23 x

50

=

1,150 - 300 =

\$850

Multiple Dependent Claims

Fee

Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20

Indep. Claims

Extra Claims

Fee(\$)

Fee Paid (\$)

-3 or HP

x

=

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets

Extra Sheets

Number of each additional 50 or fraction thereof

Fee(\$)

Fee Paid(\$)

-100

/50

(round up to a whole number)

x

=

Fee Paid(\$)

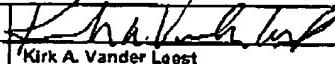
4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Surcharge for late submission of oath or declaration

130.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	34,036	Telephone	(312)775-8000
Name (print/type)	Kirk A. Vander Leest			Date	July 17, 2006

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JUL 17 2006

Attorney Docket No. 16966US01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Michael J. Fox

Serial No.: 10/549,689

Filed: September 16, 2005

Intl. App. No.: PCT/EP2004/002703

Intl. Filing Date: March 16, 2004

Title: A DEVICE FOR NON-
INVASIVELY DETECTING
OR MONITORING A MEDICAL
CONDITION IN A MAMMALCERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile, Fax No. 571-273-8300, to Mail Stop Missing Parts, Commissioner of Patents, at the United States Patent and Trademark Office July 17, 2006.


Kirk A. Vander Leest

Reg. No. 34,036

COMPLETION OF FILING REQUIREMENTS

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

This replies to the Notice to File Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) dated May 16, 2006, a copy of which is enclosed. The above-identified application was filed without an oath or declaration. The enclosed are being submitted to complete the filing requirements:

1. An executed Declaration For Utility Or Design Patent Application (37 CFR 1.63);
2. Power of Attorney and Correspondence Address Indication Form executed by the inventor;

Serial No.: 10/549,689
Response to Missing Parts
Page 2 of 2

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JUL 17 2006

3. A copy of Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US); and
4. A Fee Transmittal for payment of the \$130 late fee surcharge and the \$850 multiple dependent claim fee.

On July 7, 2006, by telephone, Ms. Karen R. McLean revised the total claims from 31 to 23 claims, including multiple dependent claims, over 20. The new fee is \$850 (\$1,150, less the \$300 fee that was paid at the time of filing the application).

The Commissioner is hereby authorized to charge the \$130.00 surcharge for the late submission of the oath or declaration and the additional requisite fee of \$850.00 for the multiple dependent claims, and any additional fees which may be required in connection with this submission or credit any overpayment to Account No. 13-0017.

Respectfully submitted,



Kirk A. Vander Leest
Reg. No. 34,036

Date: July 17, 2006

07/20/2006 MKAYPAGH 00000120 10549689

01 FC:1617 130.00 DA
02 FC:1615 850.00 DA

McAndrews, Held & Malloy, Ltd.
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Chicago, Illinois 60661
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(312) 775-8100 (fax)
kvanderleest@mhmlaw.com

FROM McANDREWS, HELD, & MALLOY

(MON) 7.17' 06 15:43/ST. 15:39/NO. 4861050035 P 10

16966US01
KKM



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO
10/549,689	Michael James Fox	16966US01
Kirk A Vander Leest McAndrews Held & Malloy, Ltd. 34th Floor 500 W Madison St Chicago, IL 60661		INTERNATIONAL APPLICATION NO. PCT/EP04/02703
		I.A. FILING DATE PRIORITY DATE 03/16/2004 03/18/2003
CONFIRMATION NO. 9586 371 FORMALITIES LETTER  *CC00000001873433*		

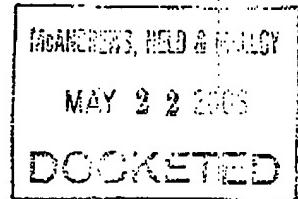
Date Mailed: 05/16/2006

RESPONSE DUE:
Mrs Reg. 7-16-06

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/16/2005
- Copy of the International Search Report filed on 09/16/2005
- Copy of IPE Report filed on 09/16/2005
- Copy of Annexes to the IPER filed on 09/16/2005
- U.S. Basic National Fees filed on 09/16/2005
- Priority Documents filed on 09/16/2005
- Specification filed on 09/16/2005
- Claims filed on 09/16/2005
- Abstracts filed on 09/16/2005
- Drawings filed on 09/16/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1250 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$1380 for a Large Entity:

- **\$130 Surcharge.**
- Total additional claim fee(s) for this application is \$ 1250
 - \$1250 for 31 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,689	PCT/EP04/02703	16966US01

FORM PCT/DO/EO/905 (371 Formalities Notice)